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**PATENT**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: COLE, Alan, et al.  
Application No. 09/627,951  
Filed: July 28, 2000  
For: **METHODS AND SYSTEMS FOR  
COLLATERAL MATCHING AND MARK TO  
MARKET RECONCILEMENT**  
Group Art Unit: 3624  
Examiner: Kyle, Charles R.

**AMENDED APPEAL BRIEF**

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Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is an Amended Appeal Brief under 37 C.F.R. § 41.37 in connection with decision of the Examiner mailed on January 12, 2005 and is filed in response to the Examiner's Notification of Non-Compliant Appeal Brief (37 CFR 41.37) mailed September 29, 2005 in which the Examiner contended that the Appeal Brief filed on July 12, 2005 was defective for failure to comply with one or more provisions of 37 CFR 41.37, namely:

- "The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by the appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix))."
- "The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x))."

Regarding the Examiner's statement that the brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by the appellant in the appeal as an appendix thereto, no such copies are attached because there is no such evidence. Nevertheless, in keeping with the examiner's requirement, this Amended Appeal Brief adds an Evidence Appendix reciting that there is no such evidence.

Regarding the Examiner's statement that the brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto, as is readily apparent to the examiner from a reading of the Related Appeals And Interferences section of the brief which specifies that "There are no other appeals or interferences related to this case", such copies are likewise non-existent. Nevertheless, likewise in keeping with the examiner's requirement, this Amended Appeal Brief adds an Evidence Appendix repeating the statement that there are no other appeals or interferences related to this case.

It is believed that the Amended Brief fully complies with all provisions of 37 CFR 41.37(c) and that each of the topics required by § 41.37 is presented herewith and is labeled appropriately. It is not believed that any additional fees are due, but if so, please charge any deficiency to Deposit Account No. 50-1458.

**(1) Real Party In Interest**

The real party in interest is Citibank, N.A.

**(2) Related Appeals And Interferences**

There are no other appeals or interferences related to this case.

**(3) Status of Claims**

Claims 1-34 are pending and all have been rejected.

No claims have been canceled.

No claims have been allowed.

No claims have been withdrawn

Claims 1-34 are hereby appealed.

(4) There are no amendments after final rejection.

**(5) Summary of Claimed Subject Matter**

Independent claims 1 and 14, respectively, propose a platform-independent method and system of collateral matching and mark to market reconciliation using a global communications network in which the global communications network is accessed and financial transaction data, e.g., financial data and user instructional data, is transmitted that consists partly or entirely of marked-to-market valuations from a plurality of users for one or more transactions previously transmitted via the global communications network and partly or entirely of transaction details for one or more new financial transactions for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network. See, e.g., Application, p. 19, line 13-p. 20, line 6 and p. 21, lines 19-23. Thereafter, the transmitted financial transaction data is converted to a standard format, a set of financial transaction data is compared with another set of financial transaction data to determine a collateral match decision, mark to market parameters are retrieved for the financial transaction data associated with the collateral match decision and used to calculate a market value for the financial transaction data associated with the matched decision, and a report is provided. See, e.g., Application, p. 20, lines 3-18; p. 21, lines 6-18.

Independent claims 27 and 29, respectively, propose a platform-independent method and system of automated collateral matching and mark to market reconciliation for creating, managing, verifying, and confirming matched financial

transactions that involves displaying a user module for viewing, selecting, inputting, and transmitting transaction data from a user to a network collateral matching and reconciliation system and receiving the transaction data that consists partly or entirely of marked-to-market valuations from a plurality of users for one or more transactions previously transmitted via the global communications network and partly or entirely of transaction details for one or more new financial transactions for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network, upon submission by a user. See, e.g., Application, p. 19, line 13-p. 20, line 6 and p. 21, lines 19-23. Thereafter, the received transaction data is translated, authenticated and stored upon submission by the user, associated with collateral matching parameters to determine a matching outcome, and used to determine a mark to market valuation, which is transmitted to be displayed by the user interface. See, e.g., Application, p. 20, lines 3-18; p. 21, lines 6-18.

Independent claim 31 proposes a secure, platform-independent automated system for collateral matching and mark to market reconciliation utilizing a network automated collateral matching and mark to market reconciliation system coupled to one or more communications networks having a plurality of users and adapted for receiving financial transaction data that consists wholly or partly of marked-to-market valuations from a plurality of users for one or more transactions previously transmitted via the global communications network and wholly or partly of transaction details for one or more new financial transactions for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network. See, e.g., Application, p. 21, lines 6-23. In addition, the system utilizes an interactive user module coupled with a network management system server connected to the communications network having a plurality of users, and a plurality of client terminals coupled to the interactive user module for user interaction with the network automated collateral matching and mark to market reconciliation system. See, e.g., Application, p. 19, line 13-p. 20, line 18.

**(6) Grounds of Rejection to be Reviewed on Appeal**

a) Claims 1-4, 7, 8, 10, 12-23, 25-31 and 34 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Sampson et al. (U.S. Patent No. 5,802,499) in view of Hawkins et al. (U.S. Patent No. 6,247,000).

b) Claims 5, 6, and 9 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Sampson et al. in view of Hawkins et al. and in further view of Warmus et al. (U.S. Patent No. 6,205,452).

c) Claims 11 and 24 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Sampson et al. in view of Hawkins et al. and Warmus et al. and in further view of Tso et al. (U.S. Patent No. 6,385,602).

d) Claims 32 and 33 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Sampson et al. in view of Hawkins et al. and Warmus et al. and in further view of Williams et al. (U.S. Patent No. 6,016,484).

**(7) Argument**

**The Combination of Sampson and Hawkins to Reject  
Claims 1-4, 7, 8, 10, 12-23, 25-31 and 34 is Improper**

Regarding independent claims 1, 14, 27, 29, and 31, the Examiner considers that Sampson teaches each and every element of independent claims 1, 14, 27, 29, and 31, “except the...simultaneous booking and transmission of new transaction data or conversion of such data to a standard format after transmission of the new financial transaction data”, which the Examiner considers to be taught by Hawkins. On the contrary, Sampson discloses a system for managing the movement of collateral assets, such as securities and cash, between counterparties (see, e.g., Sampson, Abstract and Col 1, lines 6-10) in which each user opens an account and transfers assets to the system as collateral to counterparties providing credit to the user and uses the GUI at its user workstation to create credit support agreements jointly with its respective

counterparties, which agreements can be jointly modified or unilaterally terminated. See, e.g., Sampson, Col 11, lines 11-27.

According to Sampson, after opening an account and transferring assets to the system as collateral for their credit support agreements, users calculate their own or their counterparties' net positions or credit exposure using their own methods and input the results at their workstations individually or in bulk using their workstation input screens and/or a file reading mechanism. Bulk input of credit exposures is input to a database via a fixed format file using an off-the-shelf spreadsheet program that is read by the user workstation and sent to the database. See, e.g., Sampson, Col 11, lines 28-40. The system simply takes the calculations input by the user and calculates and displays the amount of assets that must be provided or returned under the credit agreement on the user's workstation. See, e.g., Sampson, Col 11, lines 41-53.

Sampson fails to teach or suggest comparing financial transaction data consisting at least in part of marked-to-market valuations that was transmitted and/or received from a plurality of users for one or more transactions previously transmitted via a global communications network to determine a collateral match decision, as recited in independent claims 1 and 14, and/or associating the transaction data with collateral matching parameters to determine a matching outcome, as recited in independent claims 27 and 29. On the contrary, according to Sampson, after users calculate their exposure to each of their counterparties using their own methods, they input their credit exposure in bulk or individually using their workstation input screens and/or system file reading mechanisms via creation of a fixed format file by the user in a commercially available spreadsheet program that is read by the user workstation and simply sent to a database. See, e.g., Sampson, Col 4, lines 47-50; Col 11, lines 34-40; and Col 51, lines 32-45.

Nor does Sampson teach or suggest retrieving and using mark to market parameters to calculate a market value for the financial transaction data associated with a matched decision, as recited in independent claims 1 and 14, or using the

transaction data associated with a matching outcome to determine a mark to market valuation, as recited in independent claims 27 and 29. Rather, the Sampson system simply pre-stores valuation percentages which a user is willing to have applied (i.e., to reduce the required collateralization below 100 percent) when computing the value of the collateral asset. See, e.g. Sampson, Col 22, lines 4-8 and Col 42, lines 22-37. Alternatively, according to Sampson, counterparties can negotiate their collateral asset valuations with one another over the phone. See, e.g., Sampson, Col 1, lines 40-57.

As conceded by the Examiner, Sampson fails to teach or suggest that, in addition to marked-to-market valuations from a plurality of users for transactions previously transmitted and/or received via the global communications network, the transmitted financial transaction data also consists at least in part of transaction details for one or more new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network, as recited in independent claims 1, 14, 27, 29, and/or 31. Instead, according to Sampson, after opening an account and transferring assets to the system, users use their own methods to calculate and input their credit exposure to each of their counterparties in bulk or individually using their input screens and/or system file reading mechanisms via creation of a fixed format file by the user in a commercial spreadsheet (see, e.g., Sampson, Col 4, lines 42-59) when the system is operational up to a cut-off time at regular intervals defined in the user's credit agreement (see, e.g., Sampson, Col 4, lines 60-67). Thereafter, the system calculates an amount of assets to move and moves the assets between counterparty accounts in the direction indicated by the calculation. See, e.g., Sampson, Col 5, lines 1-10.

As likewise conceded by the Examiner, Sampson fails to teach or suggest converting the transmitted financial transaction data to a standard format, as recited in claims 1 and 14, or translating the received transaction data upon submission by a user, as recited in claims 27 and 29. Rather, as pointed out in Sampson, after users

calculate their exposure to each of their counterparties, they input their calculated exposures in bulk or individually using their workstation input screens and/or system file reading mechanisms via creation of a fixed format file by the user in a commercially available spreadsheet program that is read by the user workstation and sent to a database and simply rejected as a whole if the file is in the incorrect format. See, e.g., Sampson, Col 4, lines 47-50; Col 11, lines 34-40; and Col 51, lines 32-45.

Hawkins fails to remedy the deficiencies of Sampson. On the contrary Hawkins discloses a system for matching brokers' orders and confirmations (see, e.g., Hawkins, Col. 7, lines 18-30) in which a server receives an originating broker's order, associates the order with the broker's delivery instructions, and sends both to an executing broker, who fills the order and sends a confirmation message to the server. See, e.g., Hawkins, Col. 9, lines 15-49. According to Hawkins, the originating broker enters an order on his PC which is sent via the SWIFT message network to a server that matches the order with the originating broker's delivery instructions and stores the order and delivery instructions for an executing broker. See, e.g., Hawkins, Col 9, lines 5-37. Thereafter, the executing broker logs on and fills the order and sends a confirmation message to the server, which matches the order with the confirmation message and stores a message for a clearing agent that the transaction was completed. See, e.g., Hawkins, Col 9, line 38-Col 10, line 28.

There is no hint of teaching or suggestion in Hawkins of transmitting and/or receiving financial transaction data consisting at least in part of marked-to-market valuations from a plurality of users for one or more transactions previously transmitted via the global communications network and at least in part of transaction details for one or more new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network, as recited in independent claims 1, 14, 27, 29, and/or 31. Rather, the Hawkins system merely receives and stores orders, confirmations, and standing instructions for brokers and clearing agents.



Nor is there a hint of teaching or suggestion in Hawkins of converting the transmitted financial transaction data to a standard format, as recited in independent claims 1 and 14, or translating the received transaction data upon submission by a user, as recited in independent claims 27 and 29. Instead, according to Hawkins, the order and confirmation messages are entered using workstations running Windows NT with software that formats order and confirmation messages to SWIFT standard messages for the user before they are sent from the user's workstation via the SWIFT network. See, e.g., Hawkins, Col 10, lines 11-28. Further, according to Hawkins, the server uses a table to identify counterparties and simply matches standardized SWIFT messages with one another. See, e.g., Hawkins, Col 23, lines 4-15.

Consequently, Sampson and/or Hawkins, either alone or in combination with one another, fail to disclose, or even suggest, the required combination of limitations of independent claims 1 and 14 of Applicants' platform-independent method and system of collateral matching and mark to market reconciliation using a global communications network, and/or independent claims 27 and 29 of Applicants' platform-independent automated collateral matching and mark to market reconciliation method and system for creating, managing, verifying, and confirming matched financial transactions, and/or independent claim 31 of Applicants' platform-independent automated system for collateral matching and mark to market reconciliation.

Because the cited references, either alone or in combination, do not teach the limitations of independent claims 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability. See In re Royka, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03. Similarly, the Examiner has failed to establish a *prima facie* case of unpatentability for claims 2-13 that depend on claim 1, claims 15-26 that depend on claim 14, claim 28 that depends on claim 27, claim 30 that depends on claim 29,

and/or claims 32-34 that depend on claim 31, and which recite further specific elements that have no reasonable correspondence to the references.

**The Combination of Sampson, Hawkins, and Warmus  
to Reject Claims 5, 6, and 9 is Improper**

As noted above, because Sampson and/or Hawkins, either alone or in combination, do not teach the limitations of independent claims 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability of claims 1, 14, 27, 29, and/or 31. Similarly, the Examiner has failed to establish a *prima facie* case of unpatentability for claims 5, 6, and 9 that depend on independent claim 1 and which recite further specific elements that have no reasonable correspondence to the references.

Claim 5 depending on independent claim 1 proposes that converting the financial transaction data to standard format involves providing a template for import of the financial transaction data in an electronic medium, importing the financial transaction data, creating an import specification for the standard format of each file, and generating a unique import specification code to monitor the file.

Claim 6 likewise depending on independent claim 1 proposes that converting the financial transaction data to the standard format involves providing a template for export of the financial transaction data in an electronic medium, exporting the financial transaction data, creating an export specification for the standard format of each file, and generating a unique export specification code to monitor the file.

Claim 9 also depending on independent claim 1 proposes that processing the financial transaction data using a data conversion processor involves managing a data file from the user; converting the data file to a standard file format, parsing and validating the data file, converting a data field to a standard data field format, inserting a filler data field for empty-fixed data fields, mapping a standardized, populated data field according to said user's preferences, reconfiguring import specifications, creating

new import specifications, reconfiguring export specifications, creating new export specifications, and logging errors.

Warmus fails to remedy the deficiencies of Sampson and/or Hawkins. On the contrary, Warmus discloses a method of producing books for distribution in which one or more master and variable page files are created in a page description language, such as PostScript.RTM representing pages to be produced, and a press command or "book ticket" file is developed, the format of which is the form specified for control of a DCP-1 digital color press, a DocuPrint printer, manufactured by Xerox Corporation, or other demand printer. See, e.g., Warmus, Col 7, line 57-Col 8, line 16. Further, according to Warmus, the master and variable page files and the press command file are converted into bitmaps used to control printers and/or display devices, or alternatively the master and variable page files are premerged to create a plurality of combined files, which are then sent to a printer or display device or converted to Acrobat.RTM or PDF format and then transmitted to a remote location via fax, e-mail, or web page. See, e.g., Warmus, Col 8, lines 17-47. Thus, for example, Warmus first converts files which are thereafter used to control printers or displays, or first premerges files which are thereafter sent to printers or displays, or first converts files which are thereafter transmitted via fax, email or web page.

Consequently, Sampson, Hawkins, and/or Warmus, either alone or in combination with one another, fail to disclose, or even suggest, the required combination of limitations, e.g., of independent claims 1 and 14 of Applicants' platform-independent method and system of collateral matching and mark to market reconciliation using a global communications network, and/or independent claims 27 and 29 of Applicants' platform-independent automated collateral matching and mark to market reconciliation method and system for creating, managing, verifying, and confirming matched financial transactions, and/or independent claim 31 of Applicants' platform-independent automated system for collateral matching and mark to market reconciliation.

Because Samson, Hawkins, and/or Warmus either alone or in combination, do not teach the limitations of independent 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability. See *In re Royka*, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 1, 14, 27, 29, and/or 31, and similarly has failed to establish a *prima facie* case of unpatentability for claims 5, 6, and 9 that depend on claim 1, and which recite further specific elements that have no reasonable correspondence to the references.

**The Combination of Sampson, Hawkins, Warmus, and Tso to  
Reject Claims 11 and 24 is Improper**

As noted above, because Sampson and/or Hawkins and/or Warmus, either alone or in combination, do not teach the limitations of independent 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability of claims 1, 14, 27, 29, and/or 31. Similarly, the Examiner has failed to establish a *prima facie* case of unpatentability for claim 11 that depends on independent claim 1 and claim 24 that depends on independent claim 14 and which recite further specific elements that have no reasonable correspondence to the references.

Claim 11 depending on independent claim 1 proposes that processing the financial transaction data using the reconciliation processor involves configuring updated data fields, using one or more matching criteria to reconcile the financial transaction data for a set of parties associated with the financial transaction, prioritizing the matching criteria for the set of parties associated with the financial transaction, and using tie-breaker rules of the matching criteria for reconciling inexactly matched market valuations for the financial transaction data associated with the collateral match decision.

Claim 24 depending on independent claim 14 proposes that the reconciliation processor includes, for example, means for configuring updated data fields, means for using one or more matching criteria to reconcile the financial transaction data for a set of parties associated with the financial transaction, means for prioritizing the matching criteria for the set of parties associated with the financial transaction, and means for using tie-breaker rules of the matching criteria for reconciling inexactly matched market valuations for the financial transaction data associated with the collateral match decision.

Tso fails to remedy the deficiencies of Samson, Hawkins and/or Warmus. On the contrary, there is no hint of teaching or suggestion in Tso of transmitting, converting, and comparing, or transmitting, translating, and associating, or receiving by a mark to market reconciliation system, financial transaction data consisting at least in part of marked-to-market valuations from a plurality of users for one or more transactions previously transmitted via the global communications network and at least in part of transaction details for one or more new financial transactions for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network, as recited in claims 1, 14, 27, 29, and/or 31. Instead, Tso focuses on algorithms and tie-breakers and teaches presenting search results using algorithms and category relevance scores calculated by assigning the highest relevance score of any item in a category as the category's score, by assigning the average score of all items in the category as the category's score, or by using the median or weighted average, and using an alphabetical order as a tie breaker. See, e.g., Tso, Abstract and Col 7, line 59-Col 8, line 5.

Consequently, Sampson, Hawkins, Warmus and/or Tso, either alone or in combination with one another, fail to disclose, or even suggest, at least the required combination of limitations of independent claims 1 and 14 of Applicants' platform-independent method and system of collateral matching and mark to market reconciliation using a global communications network, and/or independent claims 27

and 29 of Applicants' platform-independent automated collateral matching and mark to market reconciliation method and system for creating, managing, verifying, and confirming matched financial transactions, and/or independent claim 31 of Applicants' platform-independent automated system for collateral matching and mark to market reconciliation.

Because Sampson, Hawkins, Warmus and/or Tso, either alone or in combination, do not teach the limitations of independent claims 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability. See In re Royka, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 1, 14, 27, 29, and/or 31, and similarly has failed to establish a *prima facie* case of unpatentability for claim 11 that depends on claim 1 and claim 24 that depends on claim 14, and which recite further specific elements that have no reasonable correspondence to the references.

**The Combination of Sampson, Hawkins, Warmus., and Williams to  
Reject Claims 32 and 33 is Improper**

As noted above, because Sampson, Hawkins, and/or Warmus, either alone or in combination, do not teach the limitations of independent claims 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability of claims 1, 14, 27, 29, and/or 31. Similarly, the Examiner has failed to establish a *prima facie* case of unpatentability for claims 32 and 33 that depend on independent claim 31 and which recite further specific elements that have no reasonable correspondence to the references.

Claim 32 depending on claim 31 proposes that the interactive user module includes, for example, an application that is downloaded from a web-page to the network automated collateral matching and mark to market reconciliation system.

Claim 33 likewise depending on claim 31 proposes that the interactive user module is communicated to the network automated collateral matching and mark to market reconciliation system

Williams fails to remedy the deficiencies of Samson, Hawkins and/or Warmus. On the contrary, Williams discloses modules, downloading applications, and use of HTML. See, e.g., Williams, Col 9, lines 34-44 and Col 12, lines 34-44. There is no hint of teaching or suggestion in Williams of transmitting, converting, and comparing, or transmitting, translating, and associating, or receiving by a mark to market reconciliation system, financial transaction data consisting at least in part of marked-to-market valuations from a plurality of users for one or more transactions previously transmitted via the global communications network and at least in part of transaction details for one or more new financial transactions for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network, as recited in claims 1, 14, 27, 29, and/or 31. On the contrary, Williams discloses a GUI for an electronic monetary system that utilizes electronic representations of money designed to be universally accepted and exchanged as economic value by subscribers of the Williams monetary system. See, e.g., Williams, Col 1, lines 16-27.

Consequently, Sampson, Hawkins, Warmus, and/or Williams, either alone or in combination with one another, fail to disclose, or even suggest, at least the required combination of limitations of independent claims 1 and 14 of Applicants' platform-independent method and system of collateral matching and mark to market reconciliation using a global communications network, and/or independent claims 27 and 29 of Applicants' platform-independent automated collateral matching and mark to market reconciliation method and system for creating, managing, verifying, and confirming matched financial transactions, and/or independent claim 31 of Applicants' platform-independent automated system for collateral matching and mark to market reconciliation.

Because Sampson, Hawkins, Warmus, and/or Williams, either alone or in combination, do not teach the limitations of independent claims 1, 14, 27, 29, and/or 31, the Examiner has failed to establish the required *prima facie* case of unpatentability. See In re Royka, 490 F.2d 981, 985 (C.C.P.A., 1974) (holding that a *prima facie* case of obviousness requires the references to teach all of the limitations of the rejected claim); See also MPEP §2143.03. The Examiner has failed to establish the required *prima facie* case of unpatentability for independent claims 1, 14, 27, 29, and/or 31, and similarly has failed to establish a *prima facie* case of unpatentability for claims 32 and/or 33 that depend on claim 31, and which recite further specific elements that have no reasonable correspondence to the references.

**(9) Conclusion**

For at least the reasons given above, the rejections of claims 1-34 is improper. Applicant respectfully requests the final rejection by the Examiner be reversed and claims 1-34 be allowed. Attached below is an Appendix of claims 1-34 for ease of reference.

Respectfully submitted,

Date: 10/5/05

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**(8) Claims Appendix**

1. A platform-independent method of collateral matching and mark to market reconciliation using a global communications network, comprising:
  - accessing said global communications network;
  - transmitting financial transaction data, wherein said financial transaction data comprises financial data and user instructional data, wherein said financial transaction data consists at least in part of marked-to-market valuations from a plurality of users for at least one transaction previously transmitted via the global communications network and at least in part of transaction details for at least one new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network;
  - thereafter converting said transmitted financial transaction data to a standard format;
  - comparing a first set of financial transaction data with a second set of financial transaction data to determine a collateral match decision;
  - retrieving mark to market parameters for said financial transaction data associated with said collateral match decision;
  - using said mark to market parameters to calculate a market value for said financial transaction data associated with said matched decision; and
  - providing useful reports.
2. The method of claim 1, wherein said mark to market parameters comprise at least one of the following:
  - market values associated with a financial transaction; and
  - user specified decision criteria for valuing said financial transaction; and
  - user specified decision criteria for reconciling said financial transaction.

3. The method of claim 2, wherein said market values associated with said financial transaction comprise real-time, world-wide market values.
4. The method of claim 1, further comprising:  
managing said financial transaction data;  
auditing said financial transaction data upon submission by a user; and  
administering said financial transaction data.
5. The method of claim 1, wherein said converting of said financial transaction data to said standard format comprises:  
providing a template for import of said financial transaction data in an electronic medium;  
importing said financial transaction data;  
creating an import specification for said standard format of each file; and  
generating a unique import specification code to monitor said file.
6. The method of claim 1, wherein said converting of said financial transaction data to said standard format comprises:  
providing a template for export of said financial transaction data in an electronic medium;  
exporting said financial transaction data;  
creating an export specification for said standard format of each file; and  
generating a unique export specification code to monitor said file.
7. The method of claim 1, further comprising:  
processing said financial transaction data using a mark to market processor.
8. The method of claim 1, further comprising:  
processing said financial transaction data using a data conversion processor.

9. The method of claim 8, wherein processing the financial transaction data using said data conversion processor further comprises:

- managing a data file from said user;
- converting said data file to a standard file format;
- parsing said data file;
- validating said data file;
- converting a data field to a standard data field format;
- inserting a filler data field for empty-fixed data fields;
- mapping a standardized, populated data field according to said user's

preferences;

- reconfiguring import specifications;
- creating new import specifications;
- reconfiguring export specifications;
- creating new export specifications; and
- logging errors.

10. The method of claim 1, further comprising:

- processing said financial transaction data using a reconciliation processor.

11. The method of claim 10, wherein processing the financial transaction data using said reconciliation processor further comprises:

- configuring updated data fields;
- using one or more matching criteria to reconcile the financial transaction data

for a set of parties associated with said financial transaction;

- prioritizing said matching criteria for said set of parties associated with said financial transaction; and

- using tie-breaker rules of said matching criteria for reconciling inexactly matched market valuations for said financial transaction data associated with said collateral match decision.

12. The method of claim 1, wherein said useful reports comprise a report of at least one of the following:

- said collateral match decision;
- said market value;
- a real-time world-wide market value;
- total exposure of said user;
- import errors for said user;
- said mark to market parameters;
- user specified decision criteria for valuing said financial transaction; and
- user specified decision criteria for reconciling said financial transaction.

13. The method of claim 1, further comprising:

- controlling a communications path for discussing said financial transaction data and one or more associated market valuations among multiple users.

14. A platform-independent system of collateral matching and mark to market reconciliation using a global communications network, comprising:

- means for accessing said global communications network;
- means for transmitting financial transaction data, wherein said financial transaction data comprises financial data and user instructional data, wherein said financial transaction data consists at least in part of marked-to-market valuations from a plurality of users for at least one transaction previously transmitted via the global communications network and at least in part of transaction details for at least one new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network;
- means for thereafter converting said transmitted financial transaction data to a standard format;
- means for comparing a first set of financial transaction data with a second set of financial transaction data to determine a collateral match decision;

means for retrieving mark to market parameters for said financial transaction data associated with said collateral match decision;

means for using said mark to market parameters to calculate a market value for said financial transaction data associated with said matched decision; and

means for providing useful reports.

15. The system of claim 14, wherein said mark to market parameters comprise at least one of the following:

market values associated with a financial transaction; and

user specified decision criteria for valuing said financial transaction; and

user specified decision criteria for reconciling said financial transaction.

16. The system of claim 15, wherein said market values associated with said financial transaction comprise real-time, world-wide market values.

17. The system of claim 14, further comprising:

means for managing said financial transaction data;

means for auditing said financial transaction data upon submission by a user;

and

means for administering said financial transaction data.

18. The system of claim 14, wherein said converting of said financial transaction data to said standard format further comprises:

means for providing a template for import of said financial transaction data in an electronic medium;

means for importing said financial transaction data;

means for creating an import specification for said standard format of each file;

and

means for generating a unique import specification code to monitor said file.

19. The system of claim 14, wherein said converting of said financial transaction data to said standard format further comprises:
- means for providing a template for export of said financial transaction data in an electronic medium;
  - means for exporting said financial transaction data;
  - means for creating an export specification for said standard format of each file;
  - and
  - means for generating a unique export specification code to monitor said file.
20. The system of claim 14, further comprising:
- means for processing said financial transaction data using a mark to market processor.
21. The system of claim 14, further comprising:
- means for processing said financial transaction data using a data conversion processor.
22. The system of claim 21, wherein said data conversion processor comprises:
- means for managing a data file from said user;
  - means for converting said data file to a standard file format;
  - means for parsing said data file;
  - means for validating said data file;
  - means for converting a data field to a standard data field format;
  - means for inserting a filler data field for empty-fixed data fields;
  - means for mapping a standardized, populated data field according to said user's preferences;
  - means for reconfiguring import specifications;
  - means for creating new import specifications;
  - means for reconfiguring export specifications;
  - means for creating new export specifications; and

means for logging errors.

23. The system of claim 14, further comprising:

means for processing said financial transaction data using a reconciliation processor.

24. The system of claim 23, wherein said reconciliation processor comprises:

means for configuring updated data fields;

means for using one or more matching criteria to reconcile the financial transaction data for a set of parties associated with said financial transaction;

means for prioritizing said matching criteria for said set of parties associated with said financial transaction; and

means for using tie-breaker rules of said matching criteria for reconciling inexactly matched market valuations for said financial transaction data associated with said collateral match decision.

25. The system of claim 14, wherein said useful reports comprise a report of at least one of the following:

said collateral match decision;

said market value;

a real-time world-wide market value;

total exposure of said user;

import errors for said user;

said mark to market parameters;

user specified decision criteria for valuing said financial transaction; and

user specified decision criteria for reconciling said financial transaction.

26. The system of claim 14, further comprising:

means for controlling a communications path for discussing said financial transaction data and one or more associated market valuations among multiple users.

27. A platform-independent automated collateral matching and mark to market reconciliation method for creating, managing, verifying, and confirming matched financial transactions, comprising:

- displaying a user module for viewing, selecting, inputting, and transmitting transaction data from a user to a network collateral matching and reconciliation system, wherein said financial transaction data consists at least in part of marked-to-market valuations from a plurality of users for at least one transaction previously transmitted via the global communications network and at least in part of transaction details for at least one new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network;

- receiving said transaction data upon submission by a user;

- thereafter translating said received transaction data upon submission by said user;

- authenticating said transaction data upon submission by said user;

- storing said transaction data upon submission by said user;

- associating said transaction data with collateral matching parameters to determine a matching outcome;

- using said transaction data associated with said matching outcome to determine a mark to market valuation; and

- transmitting said mark to market valuation to be displayed by said user interface.

28. The method of claim 27, further comprising:

- auditing said transaction data upon submission by said user;

- controlling a communications path for discussing said transaction data and said matching outcome among multiple users; and

- generating useful reports.



29. A platform-independent automated collateral matching and mark to market reconciliation system for creating, managing, verifying, and confirming matched financial transactions, comprising:

means for displaying a user module for viewing, selecting, inputting, and transmitting transaction data from a user to a network collateral matching and reconciliation system, wherein said financial transaction data consists at least in part of marked-to-market valuations from a plurality of users for at least one transaction previously transmitted via the global communications network and at least in part of transaction details for at least one new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network;

means for receiving said transaction data upon submission by a user;

means for thereafter translating said received transaction data upon submission by said user;

means for authenticating said transaction data upon submission by said user;

means for storing said transaction data upon submission by said user;

means for associating said transaction data with collateral matching parameters to determine a matching outcome;

means for using said transaction data associated with said matching outcome to determine a mark to market valuation; and

means for transmitting said mark to market valuation to be displayed by said user interface.

30. The system of claim 29, further comprising:

means for auditing said transaction data upon submission by said user;

means for controlling a communications path for discussing said transaction data and said matching outcome among multiple users; and

means for generating useful reports.

31. A secure, platform-independent automated system for collateral matching and

mark to market reconciliation, comprising:

a network automated collateral matching and mark to market reconciliation system coupled to at least one communications network having a plurality of users and adapted for receiving financial transaction data consists at least in part of marked-to-market valuations from a plurality of users for at least one transaction previously transmitted via the global communications network and at least in part of transaction details for at least one new financial transaction for the plurality of users booked by a remote booking system and simultaneously transmitted by the remote booking system via the global communications network;

an interactive user module coupled with a network management system server connected to said communications network having a plurality of users;

a plurality of client terminals coupled to said interactive user module for user interaction with said network automated collateral matching and mark to market reconciliation system.

32. The system of claim 31, wherein said interactive user module comprises an application that is downloaded from a web-page to said network automated collateral matching and mark to market reconciliation system.

33. The system of claim 31, wherein said interactive user module is communicated to said network automated collateral matching and mark to market reconciliation system by one of an internet, an intranet, or an extranet.

34. The system of claim 31, wherein said communications network is a financial institution's communications network.

**(9) Evidence Appendix**

There is no evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 and no other evidence entered by the examiner and relied on by appellant in the appeal.

**(10) Related Proceedings Appendix**

There are no decisions rendered by a court or the Board in any other appeals or interferences related to this case.